

THE ASSASSINATION FILES

THIRTY YEARS AFTER JFK'S DEATH



Lapses in investigation of Lee Harvey Oswald, shown on night of his arrest, have provided fertile ground for critics and conspiracy theorists.



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Second of three articles

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In October 1964—two weeks after the Warren Commission issued its report on the assassination of President John F. Kennedy—FBI Director J. Edgar Hoover received an internal memo listing the many criticisms of the FBI for not paying enough attention to Lee Harvey Oswald *before* he shot Kennedy.

Oswald, who once had defected to the Soviet Union, had long been a familiar figure to both the FBI and the Central Intelligence Agency. In fact, Oswald had walked into the

FBI's Haste Sowed Seeds Of Suspicion

FBI's Dallas office just two weeks before the president was killed to complain that the bureau was harassing his Russian wife.

The memo from Hoover aide Cartha DeLoach suggested that the criticisms were really inconsequential, and the complaints would die down.

Hoover disagreed. "The FBI will never live down this smear which could have been so easily avoided if there had been proper supervision & initiative," he wrote at the bottom of DeLoach's memo. In another note, written a few days earlier, he had referred to the criticisms not as a "smear," but as a "real debunking of the FBI. . . ."

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INVESTIGATION, From A1

In the three decades since Kennedy's death on Nov. 22, 1963, criticism of the FBI and the CIA for their performance both before and after the killing has intensified, overshadowing genuine investigative breakthroughs in the early aftermath of the assassination.

Oswald was arrested less than 90 minutes after Kennedy was killed on charges of slaying a police officer two miles from the assassination site. For the next two days—until a Dallas nightclub owner named Jack Ruby fatally shot Oswald on Nov. 24 as Oswald was being moved through the basement of the Dallas police headquarters—the investigation moved swiftly, perhaps too swiftly.

So convinced were the FBI and the CIA that Oswald was their man that, as soon as the suspect himself was dead, they began moving to close the case down. Officials at both agencies seemed more interested in covering up their own shortcomings and knowledge of secrets that could have relevance to the president's murder than they were in casting a wide net for a possible conspiracy. Their failures provided fertile ground for the conspiracy theories that have left most Americans convinced to this day that Oswald did not act alone.

A handful of episodes, some reconstructed here for the first time in print, illustrate the difficulties of any search for the truth behind the most investigated and most publicized crime in American history.

According to records, some newly released as the 30th anniversary of the assassination approaches, and related interviews, the FBI was scrambling for information for the first few hours after the Democratic president was killed at 12:30 p.m. Dallas time. Immediate suspicion fell on the far right, and at the Dallas FBI office agent James P. Hosty Jr. was assigned to draw up a list of possible suspects from far-right organizations and racist groups.

Suddenly a supervisor put down the telephone and announced to the room at large: "A Lee Harvey Oswald has been picked up. Do we know anything about him?"

Sitting over lunch in a Kansas City restaurant recently, Hosty said he could still remember the "total shock" that went through him at the sound of those words. He knew about Oswald. He had a thick file on him. The FBI had been keeping track of Oswald, off and on, since the ex-Marine's defection to the Soviet Union in November 1959 and his return to the United States in June 1962.

An expert in internal security, Hosty had been checking on Oswald to bring his file up to date. The FBI's investigation of Oswald as a potential subversive had been suspended in August 1962, but reopened the following spring after the bureau intercepted a letter Oswald had written to the

Daily Worker, the official publication of the Communist Party U.S.A.

Two weeks before the assassination, Oswald had visited the FBI office in Dallas, looking for Hosty to complain about the FBI agent's talking to his wife, Marina. Hosty was not there, but Oswald left a note warning him not to do it again.

"Now, all of a sudden, this thing [the assassination] goes from right to left," Hosty, in the recent interview, recalled thinking. "Boom. Big surprise."

In Washington, FBI Director Hoover and his top staff were obviously rattled by the news of the assassination. "Chaos all over the place," was the way one of Hoover's top aides, Deputy Director Alan Belmont, later described the FBI's Washington headquarters right after the shooting.

Eager to show that he was on top of things and concerned as always about the bureau's reputation, Hoover was quick to pass on every unconfirmed tidbit he picked up from Dallas.

Informed of the shooting by Dallas FBI agent-in-charge Gordon Shanklin, Hoover was the first to call the president's brother, Attorney General Robert F. Kennedy, in Washington. Twenty-eight minutes later, Hoover called again to tell him "the president was in very, very critical condition" and found himself in the embarrassing position of having the attorney general inform him that the president was dead.

Shortly after that, Hoover called Secret Service chief James J. Rowley and told him, erroneously, "that one of the Secret Service agents was killed." Hoover also told Rowley, incorrectly, that "apparently the shooting came from the fourth floor of a building" and "apparently a Winchester rifle was used."

The information had come from Shanklin, who was getting his information from radio and Dallas police broadcasts.

The next morning, Hoover told President Lyndon B. Johnson on the telephone that "I think that the bullets were fired from the fifth floor and the three shells that were found were found on the fifth floor" of the Texas School Book Depository. An apparently confused Hoover then proceeded to contradict himself. "But he [the assassin] apparently went upstairs to the sixth floor to have fired the gun and throw the gun away and then went out." The shots had come from the sixth floor where the rifle and expended shells were discovered.

But the investigation quickly began to come together. As Oswald was being questioned, the FBI had begun a cross-country hunt to determine where the rifle found in the book depository building had come from. By 9 p.m. in Dallas, the make—a Mannlicher-Carcano—and serial number had been telexed across the country.

The New York field office reported 41

minutes later that rifles with similar serial numbers had been shipped from a New York wholesaler to Klein's Sporting Goods store in Chicago in 1962 and early 1963. In Chicago, FBI special agent R.J. "Bob" Dolan received the teletype about Klein's.

In a recent interview, Dolan said he and

his partner called a Klein's official, got the name of the man in charge of records, and sent a car to take him to the Klein's offices. All the orders were on microfilm and they found the one matching the rifle's serial number, C2766, at about 2 a.m. The mail order purchase form was signed by "A.J. Hidell Age 28," with a return address of P.O. Box 2915 in Dallas. Klein's records showed the rifle had been shipped there on March 20, 1963.

Dolan reported to his office and was told to drive to the airport with the microfilm and take the first plane to Washington.

In Dallas, meanwhile, the FBI checked postal records and found that P.O. Box 2915 had been rented to "Lee H. Oswald."

Early on Nov. 23, an Air Force plane left Dallas with the rifle, the expended shells, a bullet found on a stretcher at Parkland Hospital, where Kennedy died, the pistol seized from Oswald after he shot Dallas police officer J.D. Tippit, a bullet from Tippit's body, and the shirt Oswald was wearing.

In his phone call with Johnson that morning, Hoover said the rifle and ammunition were about to be tested at the FBI lab. By 6 p.m., Hoover reported to Johnson that the bullet from the stretcher—as well as two bullet fragments found on the floor of the Kennedy's limousine—had been fired from the rifle. Cotton fibers from the rifle butt were the same colors as Oswald's cotton shirt. A brown bag, found near the sniper's perch in the book depository and possibly used to carry the rifle, contained a latent fingerprint and palm print that belonged to Oswald.

The more it seemed certain that Oswald was the culprit, the more trouble Hosty was in. His story in many ways is a microcosm of the bewildering and almost unbelievable series of events involved in the assassination, but which only came to light in the years afterward.

Shortly before 3 p.m. Dallas time on the afternoon of the assassination, Hosty arrived at Dallas police headquarters, where he later said he had been sent to sit in on the first interrogation of Oswald and tell the police everything the FBI knew about him.

Among other things, the FBI knew Oswald had visited the embassy of the Soviet Union in Mexico City in late September, just two months before. The CIA had informed FBI headquarters of that on Oct. 10, but the word that dribbled down to Hosty made no mention of the fact that Oswald had met with a KGB officer whose specialties included assassination.

Lt. Jack Revill, head of the Dallas police intelligence unit, drove into the basement parking garage around the same time Hosty did. Revill had just returned from a search of the School Book Depository, and was not yet aware of Oswald's arrest.

"Hosty came running up to me and said something to the effect that; 'Jack, the communists killed President Kennedy,'" Revill recalled recently. "Lee Harvey Oswald killed President Kennedy." Revill said he asked who Oswald was and Hosty "told me well, they had him in their files, their security files and . . . that they had information he was capable of doing this."

Hosty has always denied saying that. To say the FBI knew Oswald was "capable" of the assassination implied that the FBI had failed to do its job and warn the Secret Service, which guarded the president.

As Hosty recalled the conversation recently, Revill was incredulous when Hosty told him "a left-winger shot the president." Hosty said he simply replied, "Jack, he sure as hell did do it. He's the one that did it."

Thirty years later, Revill stands firm. "Sure as God made green apples, he said that," Revill said. "I can remember it as well as if it happened yesterday."

Hosty went upstairs to the office where Oswald was being questioned for the first time.

He "was very arrogant, very sure of himself," Hosty recalled. But Oswald flared when he heard Hosty's name. "I know you," Oswald told him, according to a police account. "You accosted my wife on two occasions."

Hosty said Oswald really "lost his cool" when Hosty asked him whether he had ever been to Mexico City. "A little bit of fear came into those eyes," Hosty recalled. "He denied it, but you could tell by the way he denied it that he was upset."

Hosty did not speak to Oswald again. The first round of questioning was broken up for a police lineup and, as Hosty left the room, he said, another FBI agent came up to him and told him "we have orders that you're not to tell the police department anything about Oswald; and don't go back into the interview room."

By the time Hosty returned to the FBI office, his boss, agent-in-charge Shanklin, had been informed of Oswald's visit there two weeks earlier, and of the note Oswald left. Shanklin, Hosty recalled, told him to write a memo explaining the note and the circumstances leading to it.

Two days later, just a few hours after Oswald had been killed by Jack Ruby, Hosty said Shanklin again confronted him about the note. As Hosty recently recalled the encounter, Shanklin reached down into a desk drawer and handed him the note, which had been taken from an Oswald file in Hosty's work box. Handing him the note, Shanklin said "in effect, 'Oswald's dead now, there can be no trial. Here, get rid of this.'"

Hosty said he took the note to the men's room and flushed it down the toilet. At Shanklin's instruction, he said, he also destroyed the memo he had written about it.

Few people knew about the note, and its existence was not revealed outside the Dallas FBI office, even to Hoover, until the mid-1970s, when it led to congressional hearings in 1975.

According to Hosty, who testified about it

and discussed it in a recent interview, the note simply warned him that "if you don't cease bothering my wife, I will take appropriate action. . . ."

But an FBI receptionist who said she saw the note told the congressional panel, and FBI investigators, that it read: "Let this be a warning. I will blow up the FBI and the Dallas police department if you don't stop bothering my wife." An FBI supervisor who saw the note testified that it said, in effect, "stop bothering my wife or else" but "what the 'or else' was, I can no longer specifically say."

Just as the contents of the note remain in dispute, so does its disposition.

Shanklin, now dead, testified in 1975 that he had "absolutely no recollection" of talking to Hosty about the note. "I don't think I would have, under any circumstances, ordered the note destroyed."

Even as the FBI quickly moved toward a belief that Oswald had acted alone, there were widespread fears of a Soviet or Cuban plot to assassinate Kennedy. The fears seemed plausible in light of Cold War tensions, and gained credence because of Oswald's background. In addition to his years in the Soviet Union, Oswald more recently had been active in support of the U.S.-based Fair Play for Cuba Committee.

In Washington, senior policymakers fearful of upsetting international stability tried to play down any talk of communist involvement, arguing in part that the Soviets were as concerned about maintaining world peace as the Americans, and that neither they nor the Cubans would want to be involved in an assassination effort.

Experts under the CIA's conspiratorially minded counterintelligence chief, James Angleton, were given the task of investigating possible foreign involvement. But information that came to light during Hill hearings in the late 1970s raised questions about the thoroughness of the investigation. The hearings, along with newly released CIA documents and recent interviews, detail a particularly curious episode.

On the same day Kennedy was killed in Dallas, a CIA case officer across the Atlantic in Paris was meeting with a would-be assassin of Cuban President Fidel Castro. The officer offered the man, code-named AM/LASH, a poison pen with which to stab the Cuban leader. AM/LASH declined. He wanted a sniper's rifle, which the CIA later provided.

The meeting was part of a top-secret mission to "get rid of Castro," according to one of its officers, and its existence was closely held within the CIA—so close that AM/LASH's real name, Rolando Cubela, was not known anywhere in the agency except among a handful of people in the covert action directorate.

But Cubela briefly came to the attention

of the counterintelligence experts on the Kennedy assassination case.

The CIA experts not only tracked Oswald's contacts at the Soviet Embassy in Mexico—including KGB assassination specialist Valeriy Kostikov—they also tried to track every other known contact Kostikov and other KGB officers had in Mexico.

One of the KGB's contacts was Cubela. Angleton's men ordered a search, or "name trace," conducted to find out whether anyone in the agency knew anything about Cubela. The search came up with nothing, and he was not pursued.

When the trace arrived in the covert action office, officials there kept their silence. Sam Halpern, a senior aide in the Special Affairs Staff in charge of the anti-Castro program and AM/LASH, insisted in a recent interview that his department had no responsibility to tell the rest of the agency—including Angleton's experts—about the top-secret "get Castro" operation, or about Cubela.

Halpern said he was worried at the time that the agency's efforts to kill Castro might have triggered the assassination, but that he felt sure AM/LASH had nothing to do with it. "There is not a goddamn thing Angleton or his henchmen could have come up with," Halpern said.

The CIA's relationship with AM/LASH-Cubela was kept not only from the CIA's internal investigators, but also from the Warren Commission, the presidential panel which in 1964 certified that Oswald had, in fact, acted alone in killing Kennedy.

Nor was the Warren Commission told of the CIA's earlier plotting to assassinate Castro with the help of the Mafia. Or of the FBI's files on Kennedy's affair with a woman close to two of the Mafia's anti-Castro plotters: Chicago Mafia boss Sam Giancana and his lieutenant, Johnny Roselli.

The FBI made what congressional investigators later described as "severely limited" efforts to determine whether elements of organized crime might have killed Kennedy. FBI field agents checked with their informers and reviewed wiretaps on some Mafia figures, and came up with nothing indicating more than elation over Kennedy's demise and disappointment that his brother, the attorney general, wasn't killed too. But officials in charge of a special FBI division set up in 1961 to investigate organized crime were never consulted or asked to help.

Nor were the organized crime specialists asked to delve into the underworld contacts of Jack Ruby, Oswald's killer. The FBI conducted what seemed like a painstakingly thorough investigation of Ruby, examining his tax returns, telephone and bank records. But agents expended as much effort trying to find out how columnist Dorothy Kilgallen had obtained a copy of Ruby's polygraph examination and of Warren Commission testimony (conducting some 80 interviews on this issue) as it did on more obvious red

flags, such as Ruby's travels to Cuba.

One of the problems was the bureau's investigative technique, said Common Pleas Court Judge Burt Griffin of Cleveland, who was the Warren Commission staff aide detailed to Ruby. "They had no undercover agents," Griffin said in a recent interview.

"They simply went out and interviewed everybody on their suspect list and asked them directly, 'Were you involved in a conspiracy?' Of course, the suspects said no."

Researchers Anne Eisele, Robert Thomason and Anne Underwood contributed to this report.

NEXT: Oswald and the Soviets